



DAC/4

7217/66050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yasumasa MIZUSHIMA et al.
Serial No.: 10/008,443
Filed: December 3, 2001
For: INFORMATION PROCESSING APPARATUS AND INFORMATION
PROCESSING METHOD, NETWORK SYSTEM, RECORDING
MEDIUM, AND COMPUTER PROGRAM
Group A.U.: 2167
Date: January 15, 2003

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

Transmitted herewith is a Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(a) in the above-identified application.

- ☐ No fee is required.
- ☒ The fee has been calculated as shown below.
- ☐ Total claims in excess of ☐ previously paid for, at \$18 (\$9)
- ☐ Independent claims in excess of ☐ previously paid for, at \$84 (\$42)
- ☐ Additional Fee for this Amendment
- ☒ This Response is being filed within the ☐ first month, ☐ second month, ☒ third month, ☐ fourth month, ☐ fifth month following the expiration of the term originally set therefor. Applicants Petition for an extension, and the fee of ☐ \$110 (\$55), ☐ \$410 (\$205), ☒ \$930 (\$465), ☐ \$1,450 (\$725), ☐ \$1,970 (\$985) is due and paid herewith.
- ☐ The fee of \$ ☐ set by 37 C.F.R. § 1.17(p) for the Information Disclosure Statement is due and paid herewith.
- ☒ A check in the amount of \$930.00 is attached.
- ☒ Please charge any additional fees or credit any overpayment to Deposit Account No. 03-3125.

COOPER & DUNHAM, LLP



Jay H. Maioli
Reg. No. 27,213
COOPER & DUNHAM, LLP
1185 Avenue of the Americas
New York, NY 10036
Telephone (212) 278-0400

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OFFICE OF PETITIONS



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#7

6640/66050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yasumasa MIZUSHIMA et al.
Serial No.: 10/008,443
Filed: December 3, 2001
For: INFORMATION PROCESSING APPARATUS AND
INFORMATION PROCESSING METHOD, NETWORK SYSTEM,
RECORDING MEDIUM, AND COMPUTER PROGRAM
Group A.U.: 2167

I hereby certify that this paper is being deposited this date with the U.S. Postal Service in first class mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
	Date
Jay H. Maioli Reg. No. 27,213	01.15.03

January 15, 2003
1185 Avenue of the Americas
New York, NY 10036
(212) 278-0400

REQUEST FOR RECONSIDERATION OF PETITION UNDER
37 CFR § 1.47(a)

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

In response to the Decision Refusing Status Under 37 CFR § 1.47(a) of August 22, 2002, Applicants respectfully request that the Petition Under 37 CFR § 1.47(a) be reconsidered.

The Assignee and all co-inventors of the above-identified application are residents of Japan, and the application and Assignment and Declaration originated there. Furthermore, the Statement of Facts in support of the Petition Under 37 CFR §

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1.47(a) submitted herewith was also prepared and signed in Japan.

In response to the deficiencies alleged in the Decision Refusing Status under 37 CFR § 1.47(a), submitted herewith as Exhibit A is a Statement of Facts in Support of the Petition Under 37 CFR § 1.47(a) detailing the actions taken in the continuing effort to present non-signing inventor Koji Hagioda with the English language patent application papers. The attached Statement of Facts is signed by Ms. Yoriko Konishi, the person who has attempted to present Mr. Hagioda with the English language application papers and to whom Mr. Hagioda has made an express oral refusal to accept the application papers.

Furthermore, the instant application is a convention application filed under 35 USC § 119 and is based on earlier-filed Japanese application no. P2000-371561, filed December 6, 2000. The instant application is a literal English language translation of that original Japanese language application. Koji Hagioda participated in the filing of that original Japanese application.

Therefore, Mr. Hagioda has, prima facie, seen and understood this application.

To the best of the undersigned's knowledge, the provisions of 37 CFR § 1.47(a) have been complied with, and all reasonable options have been exhausted in the effort to secure Mr. Hagioda's cooperation in the execution of the above-identified application, without success.

Any deficiency or overpayment of any fees should be charged or credited to the Deposit Account No. 03-3125.

Acceptance of this Request for Reconsideration is respectfully solicited.

Respectfully submitted,
COOPER & DUNHAM LLP

A handwritten signature in cursive script, reading "Jay H. Maioli".

Jay H. Maioli
Reg. No. 27,213

JHM/AVF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yasumasa Mizushima, et al.
Serial No.: 10/008,043
Filed: December 3, 2001
For: INFORMATION PROCESSING APPARATUS AND
INFORMATION PROCESSING METHOD, NETWORK SYSTEM,
RECORDING MEDIUM, AND COMPUTER

STATEMENT OF FACTS IN SUPPORT OF PETITION UNDER
37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following is a statement of the facts surrounding the attempts made to present joint inventor Koji Hagiuda with the Application Papers and to secure Mr. Hagiuda's signature on the Declaration in the above-identified application.

(1) I am employed as an executive assistant with Accenture Corporation, Tokyo, Japan, which is an assignee of the above-identified application.

(2) Mr. Hagiuda is no longer an employee of Accenture Corporation. Mr. Hagiuda was allowed access to all application papers and materials associated with this application during his employment with Accenture Corporation, and his participation in the filing of this application was requested prior to the termination of his employment.

(3) I have called Mr. Hagiuda and requested his receipt of the Application Papers and his participation in this application on multiple occasions by telephone beginning in February, 2002 and continuing to the present. Answering machine messages left by me for Mr. Hagiuda have not been returned. When contacted by telephone through these efforts,

Mr. Hagioda orally communicated to me, in Japanese, his refusal to participate in this application.

(4) Multiple requests for Mr. Hagioda's participation have also been made by me via electronic mail and post mail, beginning in February, 2002 and continuing to the present.

(5) Mr. Hagioda has received all of the application papers sent to him via post mail but has returned everything without reply and has refused requests to state in written form his desire not to participate in this application.

(6) The continued efforts to secure acceptance of the application papers for signature by Mr. Hagioda in this application have not been successful. Mr. Hagioda has refused to accept the delivery of the application papers or to cooperate, in any form, with any aspect of this application.

(7) Mr. Hagioda's last known address is 52-17, Minami-kibougaoka, Asahi-ku, Yokohama-shi, Kanagawa, Japan.

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statement or the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of this application or any reissue patent issuing thereof.

Dec. 16, 2002

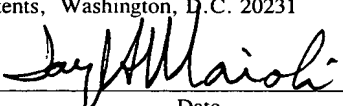
Date

Yoriko Konishi

Yoriko Konishi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yasumasa MIZUSHIMA et al.
Serial No.: 10/008,443
Filed: December 3, 2001
For: INFORMATION PROCESSING APPARATUS AND
INFORMATION PROCESSING METHOD, NETWORK SYSTEM,
RECORDING MEDIUM, AND COMPUTER PROGRAM
Group A.U.: 2167

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231	
 JAY H. MAIOLI Reg. No. 27,213	Date 01.15.03

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JAN 24 2003

OFFICE OF PETITIONS

January 15, 2003
1185 Avenue of the Americas
New York, NY 10036
(212) 278-0400

PETITION FOR THREE-MONTH EXTENSION OF TIME
UNDER 37 CFR § 1.136(a)

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

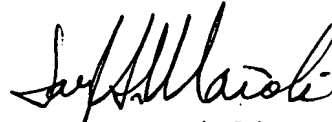
Applicants, through the undersigned attorney, hereby
petition the Commissioner of Patents and Trademarks to extend
the time for responding to the Decision Refusing Status Under
37 CFR § 1.47(a) mailed August 22, 2002 for three months from

October 22, 2002 to January 22, 2003.

Submitted herewith is a check for \$930.00 to cover the cost of this extension.

Any deficiency or overpayment should be charged to Deposit Account No. 03-3125.

Respectfully submitted,
COOPER & DUNHAM LLP

A handwritten signature in black ink, appearing to read "Jay H. Maioli". The signature is fluid and cursive, with the first name "Jay" and last name "Maioli" clearly distinguishable.

Jay H. Maioli
Reg. No. 27,213

JHM/AVF